

ENTERED

April 07, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONMARK ZASTROW, *et al*,

Plaintiffs,

VS.

HOUSTON AUTO IMPORTS GREENWAY
LTD d/b/a MERCEDES-BENZ OF HOUSTON
GREENWAY, *et al*,

Defendants.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:13-CV-0574

FINAL JUDGMENT

On March 7, 2016, the trial of this case began. The plaintiff, Mark Zastrow, appeared individually and as the representative of Heights Autohaus, and through his attorney and announced ready for trial. The defendant, Houston Auto M. Imports Greenway, Ltd. d/b/a Mercedes-Benz of Houston Greenway, appeared in person through its representative, Mike Yale, and through its attorney and announced ready for trial. The Court determines that it had jurisdiction over the subject matter and the parties in this case and impaneled a jury that heard the evidence and arguments of counsel. Thereafter, the Court submitted the case to the jury on questions, definitions, and instructions. In response, the jury made findings that the Court received, filed, and entered into the record. *See* [Dkt. No. 201].

Now the plaintiffs, Mark Zastrow and Heights Autohaus move for entry of judgment on the verdict. The Court has considered the motion and finding the motion meritorious enters judgment for the plaintiffs, Mark Zastrow and Heights Autohaus and enters judgment as follows:

- (a) The Court orders that the plaintiffs, Mark Zastrow and Heights Autohaus, recover the sum of \$939.29, plus attorney fees and costs, from the defendant, Houston Auto Imports Greenway, Ltd. d/b/a Mercedes-Benz of Houston Greenway for violation of 42 U.S.C. §1981;

- (b) The plaintiffs, Mark Zastrow and Heights Autohaus, requested attorney fees and costs in a motion with supporting affidavits under 42 U.S.C. §1988(b). The Court examined the record, determines that the request is supported by law, and taking judicial notice of the usual and customary attorney fees, determines a reasonable attorney fees to be \$110,000. The Court has entered an Order ordering the defendant, Houston Auto M. Imports Greenway, Ltd. d/b/a Mercedes-Benz of Houston Greenway to pay to plaintiffs, Mark Zastrow and Heights Autohaus, for their attorney's fees a total of \$110,000;
- (c) The plaintiffs, Mark Zastrow and Heights Autohaus, as prevailing parties are entitled to recover taxable costs incurred in litigating this dispute. Fed. R. Civ. P. 54(d)(1). Pursuant to Local Rules Texas (S.D.), Rule 54.2. The plaintiffs filed a bill of costs, with supporting affidavits and exhibits, concurrently with their motion for attorney fees. The bill of costs includes costs allowed by law under 28 U.S.C. §1920. The Court examined the record, determines that the request is supported by law, and awards taxable costs of \$5,837.67 against the defendant. Houston Auto M. Imports Greenway, Ltd. d/b/a Mercedes-Benz of Houston Greenway;
- (d) The Court awards prejudgment interest on the sum at the annual rate of 3%, compounded annually, to be paid from January 9, 2013, until the date of the entry of this judgment;
- (e) Finally, the Court awards post-judgment interest on all of the above amounts allowable by law at the rate of 0.67% from the date this judgment until the judgment is paid.

This is a FINAL JUDGMENT.

SIGNED on this 7th day of April, 2016.

A handwritten signature in black ink, appearing to read 'Kenneth M. Hoyt', is written over a horizontal line.

Kenneth M. Hoyt
United States District Judge